

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**HENRY PERRY and DONNA  
McDOWELL PERRY,**

**Plaintiffs,**

**VS.**

**NO.**

**JURY DEMANDED**

**ALLSTATE INSURANCE COMPANY,**

**Defendant.**

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**NOTICE OF REMOVAL**

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Defendant, Allstate Property & Casualty Insurance Company, incorrectly styled Allstate Insurance Company, hereby notifies the Judges of the United States District Court for the Western District of Tennessee, the clerk of the Circuit Court of Shelby County, Tennessee and Plaintiffs, Henry Perry and Donna McDowell Perry, that the action described herein and filed in the Circuit Court of Shelby County, Tennessee, is removed to the United States District Court for the Western District of Tennessee, Western Division pursuant to 28 U.S.C. § 1441.

1. On April 27, 2018, Plaintiffs, Henry Perry and Donna McDowell Perry, filed a civil action bearing Docket No. CT-001958-18, against the Defendant, Allstate Property & Casualty Insurance Company, incorrectly styled Allstate Insurance Company, in the Circuit Court of Shelby County, Tennessee. Service of the complaint and summons was made upon CT Corporation, the designated statutory agent of the Defendant, on May 24, 2018, by certified mail through the Department of Insurance of the State of Tennessee.

2. This action is filed by Plaintiffs for proceeds allegedly due under a

contract of insurance written by Defendant Allstate and insuring Plaintiffs' real property and contents in Shelby County, Tennessee which was allegedly destroyed by a fire occurring on or about April 6, 2017.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. § 1332. Specifically, the complaint demands damages in the amount of \$133,335.00.

4. Plaintiff, Henry Perry, is a resident and citizen of the State of Tennessee and was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Plaintiff, Donna McDowell Perry, is a resident and citizen of the State of Tennessee and was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant Allstate is a corporation incorporated in Illinois, with its principal place of business in Northbrook, Illinois. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number CT-001958-18 is removed from the Circuit Court of Shelby County, Tennessee, to this Court.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

s/ Russell E. Reviere

Russell E. Reviere (BPR No. 07166)

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was forwarded first class U.S. Mail, postage prepaid to Patrick M. Ardis, Elaine Sheng, Wolff Ardis, P.C., 5810 Shelby Oaks Drive, , Memphis, Tennessee 38134, counselor of record for Plaintiffs, and by electronic means via the Court's electronic filing system.

This the 19th day of June, 2018.

s/ Russell E. Reviere